HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.8495 of 2007

Date: 24-04-2007.

Between :

M/s.A.P.Co-Operative Oil Seeds Growers Federation Ltd., Basheer Bagh, Hyderabad, rep. by its Manager (Finance).

.....Petitioner

And

The Addl. Commissioner (CT) Legal, A.P., Hyderabad & others.

.....Respondents.

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.8495 of 2007

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties. With their consent, the writ petition is disposed of at this stage.

A garnishee notice issued by the Commercial Tax Officer has been challenged in this writ petition on the ground that an appeal, along with stay petition, filed by the petitioner against an order passed in revision, is pending before the Tribunal. The learned counsel for petitioner submits that it is unfair to coerce him for payment of the disputed tax, which is subject matter of appeal. He submits that appeal along with stay petition, has been filed on 06.11.2006 before the Tribunal, but neither the appeal is taken up for hearing nor the stay application has been disposed of so far.

After hearing learned counsel for the parties, the writ petition is disposed of with a direction to the Tribunal to take up the stay application and decide the matter within two weeks from today. For a period of two weeks from today, the notice of garnishee issued, shall remain stayed.

BILAL NAZKI, J

24th April 2007

NOOTY
RAMAMOHANA RAO, J

N.B:-

Order by wire at party's cost.

(b/o)

ajr